

UNOFFICIAL VERSION

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WEDNESDAY, MARCH 18, 2020

FIFTY-SIXTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 2:30 p.m., and was called to order by Mr. Speaker McNally.

PRAYER

The proceedings were opened with prayer by Chase Johnson, a guest of Mr. Speaker McNally.

PLEDGE OF ALLEGIANCE

Mr. Johnson led the Senate in the Pledge of Allegiance to the Flag.

SALUTE TO THE FLAG OF TENNESSEE

Mr. Johnson led the Senate in the Salute to the Flag of Tennessee.

ROLL CALL

The roll call was taken with the following results:

Present 32

Senators present were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yabro and Mr. Speaker McNally--32.

STANDING COMMITTEE REPORTS

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1973 with amendment and 2672 with amendment; and Senate Joint Resolutions Nos. 1237, 1238, 1239 and 1262.

GRESHAM, Chairperson
March 18, 2020

The Speaker announced that he had referred Senate Bills Nos. 1973 with amendment and 2672 with amendment; and Senate Joint Resolutions Nos. 1237, 1238, 1239 and 1262 to the Committee on Calendar.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 1591.

WATSON, Chairperson
March 18, 2020

The Speaker announced that he had referred Senate Bill No. 1591 to the Committee on Calendar.

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 2297 with amendment, 2298 with amendment and 2897 with amendment.

DICKERSON, Chairperson
March 18, 2020

The Speaker announced that he had referred Senate Bills Nos. 2297 with amendment, 2298 with amendment and 2897 with amendment to the Committee on Calendar.

MOTION

Senator Johnson moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bill No. 2924** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

SENATE BILL ON SECOND CONSIDERATION

The Speaker announced the following bill passed second consideration and was referred to the appropriate committee or held on the Clerk's desk:

Senate Bill No. 2924 Local bill -- held on desk.

MOTION

Senator Johnson moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 1254 through 1261 and 1263 through 1271** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 1254 by Senator Hensley.
Memorials, Sports -- Marty DeJarnette, National Christian Schools Association Coach of the Year.

Senate Joint Resolution No. 1255 by Senator Powers.
Memorials, Professional Achievement -- Mary Rinehart, Houston County High School, Teacher of the Year.

Senate Joint Resolution No. 1256 by Senator Powers.

Memorials, Professional Achievement -- Darcey Manners, Houston County Middle School, Teacher of the Year.

Senate Joint Resolution No. 1257 by Senator Powers.

Memorials, Professional Achievement -- Erin Roselli, Tennessee Ridge Elementary School, Teacher of the Year.

Senate Joint Resolution No. 1258 by Senator Powers.

Memorials, Professional Achievement -- Jamie Scism, Erin Elementary School, Teacher of the Year.

Senate Joint Resolution No. 1259 by Senator Powers.

Memorials, Professional Achievement -- Kim Morgan, Dover Elementary School, Teacher of the Year.

Senate Joint Resolution No. 1260 by Senator Yarbro.

Memorials, Interns -- Bianca McNeary.

Senate Joint Resolution No. 1261 by Senators White and Reeves.

Memorials, Sports -- Ryley McClaran, TSSAA Class A Mr. Basketball.

Senate Joint Resolution No. 1263 by Senator Crowe.

Memorials, Recognition -- Kenneth Howard Nave.

Senate Joint Resolution No. 1264 by Senator Crowe.

Memorials, Death -- Dr. Willie J. Malone.

Senate Joint Resolution No. 1265 by Senator Gilmore.

General Assembly, Statement of Intent or Position -- Urges the General Assembly to provide a grant for children out of school due to coronavirus and in need of food.

Senate Joint Resolution No. 1266 by Senator Roberts.

Memorials, Personal Occasion -- William Harold Reeves, 100th birthday.

Senate Joint Resolution No. 1267 by Senator Roberts.

Memorials, Personal Achievement -- David A. Donaldson, Eagle Scout.

Senate Joint Resolution No. 1268 by Senator Pody.

Memorials, Academic Achievement -- Dominique Hebert, Salutatorian, Smith County High School.

Senate Joint Resolution No. 1269 by Senator Pody.

Memorials, Academic Achievement -- Janna Abou-Rahma, Valedictorian, Smith County High School.

Senate Joint Resolution No. 1270 by Senator Pody.

Memorials, Death -- Deputy Stephen Michael Reece.

Senate Joint Resolution No. 1271 by Senator Pody.

Memorials, Recognition -- Harold Kenneth Christian, Tennessee State Checkers Champion.

MOTION

Senator Johnson moved, pursuant to Rule 21, **House Joint Resolutions Nos. 1006 through 1025 and 1030 through 1034; Senate Joint Resolutions Nos. 1240 through 1253 and Senate Resolution No. 148** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 1006 -- Memorials, Recognition -- Caroline Waters.

The Speaker announced that he had referred House Joint Resolution No. 1006 to the Committee on Calendar.

House Joint Resolution No. 1007 -- Memorials, Recognition -- Whiteside Farm, Tennessee Century Farm.

The Speaker announced that he had referred House Joint Resolution No. 1007 to the Committee on Calendar.

House Joint Resolution No. 1008 -- Memorials, Recognition -- Carleigh Thomason, 2020 Mule Day Court, Fifth Runner Up.

The Speaker announced that he had referred House Joint Resolution No. 1008 to the Committee on Calendar.

House Joint Resolution No. 1009 -- Memorials, Recognition -- Madalyn Grace Aviles, 2020 Mule Day Court, Fourth Runner Up.

The Speaker announced that he had referred House Joint Resolution No. 1009 to the Committee on Calendar.

House Joint Resolution No. 1010 -- Memorials, Recognition -- Jenna St. Pierre, 2020 Mule Day Court, Third Runner Up.

The Speaker announced that he had referred House Joint Resolution No. 1010 to the Committee on Calendar.

House Joint Resolution No. 1011 -- Memorials, Recognition -- Katie Lea Boshers, 2020 Mule Day Court, Second Runner Up.

The Speaker announced that he had referred House Joint Resolution No. 1011 to the Committee on Calendar.

House Joint Resolution No. 1012 -- Memorials, Recognition -- Graciee English, 2020 Mule Day Court, First Runner Up.

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The Speaker announced that he had referred House Joint Resolution No. 1012 to the Committee on Calendar.

House Joint Resolution No. 1013 -- Memorials, Recognition -- Kayla Mae Gibson, Mule Day Queen 2020.

The Speaker announced that he had referred House Joint Resolution No. 1013 to the Committee on Calendar.

House Joint Resolution No. 1014 -- Memorials, Recognition -- Kayla Gibson, 2020 Mule Day Queen, and Mule Day Court.

The Speaker announced that he had referred House Joint Resolution No. 1014 to the Committee on Calendar.

House Joint Resolution No. 1015 -- Memorials, Sports -- Rick Young.

The Speaker announced that he had referred House Joint Resolution No. 1015 to the Committee on Calendar.

House Joint Resolution No. 1016 -- Memorials, Personal Occasion -- Peggy and Sidney Gibson, 60th wedding anniversary.

The Speaker announced that he had referred House Joint Resolution No. 1016 to the Committee on Calendar.

House Joint Resolution No. 1017 -- Memorials, Recognition -- Wilson County Poll Officials.

The Speaker announced that he had referred House Joint Resolution No. 1017 to the Committee on Calendar.

House Joint Resolution No. 1018 -- Memorials, Academic Achievement -- Charles Coen, Valedictorian, Roane County High School.

The Speaker announced that he had referred House Joint Resolution No. 1018 to the Committee on Calendar.

House Joint Resolution No. 1019 -- Memorials, Academic Achievement -- Keylon Reynolds, Salutatorian, Roane County High School.

The Speaker announced that he had referred House Joint Resolution No. 1019 to the Committee on Calendar.

House Joint Resolution No. 1020 -- Memorials, Sports -- Rick Young.

The Speaker announced that he had referred House Joint Resolution No. 1020 to the Committee on Calendar.

House Joint Resolution No. 1021 -- Memorials, Recognition -- Chief Tom Greene, Friendsville Volunteer Fire Department.

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The Speaker announced that he had referred House Joint Resolution No. 1021 to the Committee on Calendar.

House Joint Resolution No. 1022 -- Memorials, Recognition -- Captain Carroll Huffstettler, Friendsville Volunteer Fire Department.

The Speaker announced that he had referred House Joint Resolution No. 1022 to the Committee on Calendar.

House Joint Resolution No. 1023 -- Memorials, Recognition -- Captain Marianna Smith, Friendsville Volunteer Fire Department.

The Speaker announced that he had referred House Joint Resolution No. 1023 to the Committee on Calendar.

House Joint Resolution No. 1024 -- Memorials, Recognition -- Bill Miller.

The Speaker announced that he had referred House Joint Resolution No. 1024 to the Committee on Calendar.

House Joint Resolution No. 1025 -- Memorials, Recognition -- Millie Grammer.

The Speaker announced that he had referred House Joint Resolution No. 1025 to the Committee on Calendar.

House Joint Resolution No. 1030 -- Memorials, Academic Achievement -- Paxton Albright, Valedictorian, Sequatchie County High School.

The Speaker announced that he had referred House Joint Resolution No. 1030 to the Committee on Calendar.

House Joint Resolution No. 1031 -- Memorials, Academic Achievement -- Gracie Perry, Salutatorian, Sequatchie County High School.

The Speaker announced that he had referred House Joint Resolution No. 1031 to the Committee on Calendar.

House Joint Resolution No. 1032 -- Memorials, Death -- Sergeant Ronnie Henson.

The Speaker announced that he had referred House Joint Resolution No. 1032 to the Committee on Calendar.

House Joint Resolution No. 1033 -- Memorials, Recognition -- Tennessee High School Mock Trial Competition, 40th anniversary.

The Speaker announced that he had referred House Joint Resolution No. 1033 to the Committee on Calendar.

House Joint Resolution No. 1034 -- Memorials, Death -- George Burton Sampson.

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The Speaker announced that he had referred House Joint Resolution No. 1034 to the Committee on Calendar.

Senate Joint Resolution No. 1240 -- Memorials, Retirement -- Master Sergeant Brandon J. Bettis, United States Air Force.

The Speaker announced that he had referred Senate Joint Resolution No. 1240 to the Committee on Calendar.

Senate Joint Resolution No. 1241 -- Memorials, Recognition -- National Doctors Day, March 30, 2020.

The Speaker announced that he had referred Senate Joint Resolution No. 1241 to the Committee on Health and Welfare.

Senate Joint Resolution No. 1242 -- Memorials, Academic Achievement -- Carson Pope, Salutatorian, Gordonsville High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1242 to the Committee on Calendar.

Senate Joint Resolution No. 1243 -- Memorials, Academic Achievement -- Alexandra Bryant, Valedictorian, Gordonsville High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1243 to the Committee on Calendar.

Senate Joint Resolution No. 1244 -- Memorials, Retirement -- Randy Johnson.

The Speaker announced that he had referred Senate Joint Resolution No. 1244 to the Committee on Calendar.

Senate Joint Resolution No. 1245 -- Memorials, Academic Achievement -- Kailey Holland, Salutatorian, Red Boiling Springs High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1245 to the Committee on Calendar.

Senate Joint Resolution No. 1246 -- Memorials, Academic Achievement -- Kennedy Fleming, Valedictorian, Red Boiling Springs High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1246 to the Committee on Calendar.

Senate Joint Resolution No. 1247 -- Memorials, Interns -- Elijah Bradley.

The Speaker announced that he had referred Senate Joint Resolution No. 1247 to the Committee on Calendar.

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Senate Joint Resolution No. 1248 -- Memorials, Sports -- Chloe Moore-McNeil, TSSAA Class A Miss Basketball.

The Speaker announced that he had referred Senate Joint Resolution No. 1248 to the Committee on Calendar.

Senate Joint Resolution No. 1249 -- Memorials, Sports -- Lakeway Christian Academy girls' basketball team, 2020 NACA Division IV National Champions.

The Speaker announced that he had referred Senate Joint Resolution No. 1249 to the Committee on Calendar.

Senate Joint Resolution No. 1250 -- Memorials, Sports -- Hunter Mason, Greeneville High School, state wrestling champion.

The Speaker announced that he had referred Senate Joint Resolution No. 1250 to the Committee on Calendar.

Senate Joint Resolution No. 1251 -- Memorials, Sports -- LeAndre Dabney, Greeneville High School, state wrestling champion.

The Speaker announced that he had referred Senate Joint Resolution No. 1251 to the Committee on Calendar.

Senate Joint Resolution No. 1252 -- Memorials, Sports -- Kodiak Cannedy, Greeneville High School, state wrestling champion.

The Speaker announced that he had referred Senate Joint Resolution No. 1252 to the Committee on Calendar.

Senate Joint Resolution No. 1253 -- Memorials, Recognition -- Jaydin Bullard, Governor's Volunteer Stars Award.

The Speaker announced that he had referred Senate Joint Resolution No. 1253 to the Committee on Calendar.

Senate Resolution No. 148 -- General Assembly, Statement of Intent or Position -- Expresses the sense of the General Assembly that governmental entities should not purchase vehicles of 19,501 pounds or more for use by such entities unless the vehicles are manufactured in the United States.

The Speaker announced that he had referred Senate Resolution No. 148 to the Committee on State and Local Government.

MOTION

Senator Jackson moved that Rules 19 and 38 be suspended for the purpose of making and considering a Consent Calendar for Wednesday, March 18, 2020, consisting of the following bills: **Senate Joint Resolutions Nos. 1228 through 1236; Senate Resolution No. 147; and House Joint Resolutions Nos. 984 through 998 and 1000 through 1005**, which motion prevailed.

CONSENT CALENDAR

Senate Joint Resolution No. 1228 -- Memorials, Recognition -- Colonel Warner A. Ross II.

Senate Joint Resolution No. 1229 -- Memorials, Death -- Peggy Williams Daniel.

Senate Joint Resolution No. 1230 -- Memorials, Interns -- Anna Kate Holt.

Senate Joint Resolution No. 1231 -- Memorials, Academic Achievement -- Shelby Laine Koonce, Valedictorian, Christian Community Schools.

Senate Joint Resolution No. 1232 -- Memorials, Academic Achievement -- Wyatt Jackson Oakley, Salutatorian, Christian Community Schools.

Senate Joint Resolution No. 1233 -- Memorials, Recognition -- Mark McKee III.

Senate Joint Resolution No. 1234 -- Memorials, Academic Achievement -- Kristin Fann, Salutatorian, Cannon County High School.

Senate Joint Resolution No. 1235 -- Memorials, Academic Achievement -- Stephen Austin Powell, Valedictorian, Cannon County High School.

Senate Joint Resolution No. 1236 -- Memorials, Recognition -- Senior Citizens Home Assistance Service, 50th anniversary.

Senate Resolution No. 147 -- Memorials, Interns -- Christopher M. Ralston.

House Joint Resolution No. 984 -- Memorials, Recognition -- James W. DeBerry, Sr.

House Joint Resolution No. 985 -- Memorials, Academic Achievement -- Earnesha J. Nelson, Valedictorian, Memphis Academy of Health Sciences.

House Joint Resolution No. 986 -- Memorials, Academic Achievement -- Curtisa Atkins, Salutatorian, Memphis Academy of Health Sciences.

House Joint Resolution No. 987 -- Memorials, Academic Achievement -- Carly Robinson, Valedictorian, Middle College High School.

House Joint Resolution No. 988 -- Memorials, Academic Achievement -- Kevin Malone, Salutatorian, Middle College High School.

House Joint Resolution No. 989 -- Memorials, Academic Achievement -- Quinton Ray, Valedictorian, Raleigh Egypt High School.

House Joint Resolution No. 990 -- Memorials, Academic Achievement -- Zaphoria Webb, Salutatorian, Raleigh Egypt High School.

House Joint Resolution No. 991 -- Memorials, Academic Achievement -- Damia Lewis, Valedictorian, Frederick Douglass High School.

House Joint Resolution No. 992 -- Memorials, Academic Achievement -- Whitney Yacob, Salutatorian, Frederick Douglass High School.

House Joint Resolution No. 993 -- Memorials, Academic Achievement -- Joel Speer, Salutatorian, Craigmont High School.

House Joint Resolution No. 994 -- Memorials, Academic Achievement -- Elaina Moore, Valedictorian, Craigmont High School.

House Joint Resolution No. 995 -- Memorials, Recognition -- Hendersonville High School Band of Gold.

House Joint Resolution No. 996 -- Memorials, Retirement -- Dr. Jeffrey T. Phillips.

House Joint Resolution No. 997 -- Memorials, Recognition -- Green Grove Primitive Baptist Church, 150th anniversary.

House Joint Resolution No. 998 -- Memorials, Personal Occasion -- Martha Akin, 105th birthday.

House Joint Resolution No. 1000 -- Memorials, Recognition -- Sonia Hughes.

House Joint Resolution No. 1001 -- Memorials, Retirement -- Bill May.

House Joint Resolution No. 1002 -- Memorials, Retirement -- Larry H. Maxwell.

House Joint Resolution No. 1003 -- Memorials, Death -- George W. Roark.

House Joint Resolution No. 1004 -- Memorials, Personal Achievement -- Colton Wyatt Phillips, Eagle Scout.

House Joint Resolution No. 1005 -- Memorials, Retirement -- David Whitson "Whit" Adamson.

Senator Jackson moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

CALENDAR

Senate Bill No. 1649 -- Sunset Laws -- As introduced, extends the advisory council on workers' compensation to June 30, 2021. Amends TCA Title 4, Chapter 29 and Title 50, Chapter 6, Part 1.

Senate Bill No. 1649 passed its third and final consideration by the following vote:

Ayes 30
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, White, Yager, Yarbro and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

MR. SPEAKER MCNALLY RELINQUISHES CHAIR

Mr. Speaker McNally relinquished the Chair to Senator Haile as Speaker pro tempore.

Senate Bill No. 1661 -- Sunset Laws -- As introduced, extends the department of correction to June 30, 2024; requires the department to appear back before the government operations committee no later than December 31, 2021, to update the committee on its progress in addressing the findings contained in the January 2020 performance audit report. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3.

Senate Bill No. 1661 passed its third and final consideration by the following vote:

Ayes 30
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbro and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senate Bill No. 1663 -- Sunset Laws -- As introduced, extends the department of general services to June 30, 2024. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3.

On motion, Senate Bill No. 1663 was made to conform with **House Bill No. 1741**.

On motion, House Bill No. 1741, on same subject, was substituted for Senate Bill No. 1663.

House Bill No. 1741 passed its third and final consideration by the following vote:

Ayes 30
Noes 0

Senators voting aye were: Bailey, Bell, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbro and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

On motion, Senate Bill No. 1666 was made to conform with **House Bill No. 1744**.

On motion, House Bill No. 1744, on same subject, was substituted for Senate Bill No. 1666.

House Bill No. 1744 passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Bailey, Bell, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbro and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senate Bill No. 1680 -- Sunset Laws -- As introduced, extends the pest control board to June 30, 2021. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 21, Part 1.

Senator Roberts moved that Amendment No. 1 be placed behind Amendment No. 2, which motion prevailed.

Senator Roberts moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 62-21-102(7), is amended by deleting "pest control licensing and advisory board" and substituting instead "commissioner".

SECTION 2. Tennessee Code Annotated, Section 62-21-104(a), is amended by inserting "advisory" between "control" and "board".

SECTION 3. Tennessee Code Annotated, Section 62-21-104(c), is amended by deleting "when this board sits as a licensing examining board".

SECTION 4. Tennessee Code Annotated, Section 62-21-105, is amended by deleting the section and substituting the following:

The board shall advise the commissioner as to the promulgation of rules, categories of licenses, qualifications of applicants, and examinations for licenses.

SECTION 5. Tennessee Code Annotated, Section 62-21-106(a)(3), is amended by deleting "that the board may establish by regulation" and substituting instead "established by rule".

SECTION 6. Tennessee Code Annotated, Section 62-21-112, is amended by deleting the section and substituting the following:

(a) The cost for an initial examination of a license applicant is established by rule pursuant to § 43-1-703 for each category in which examination is requested.

(b)

(1) When a license application has been examined and the applicant fails to meet the qualifications for licensure, the applicant may be examined at a subsequent date in accordance with rules promulgated by the commissioner.

Each application for reexamination is accompanied by a reexamination fee established by rule pursuant to § 43-1-703 for each category in which examination is requested.

(2) An applicant shall submit a separate application and reexamination fee each time a reexamination is requested for any category except the category of private pesticide applicator.

SECTION 7. Tennessee Code Annotated, Section 62-21-118(3), is amended by deleting "upon approval by the board".

SECTION 8. Tennessee Code Annotated, Section 62-21-122, is amended by deleting the section.

SECTION 9. Tennessee Code Annotated, Section 62-21-123, is amended by deleting the section.

SECTION 10. Tennessee Code Annotated, Section 62-21-125, is amended by deleting the section.

SECTION 11. Tennessee Code Annotated, Section 62-21-126, is amended by deleting the section.

SECTION 12. Tennessee Code Annotated, Section 62-21-127, is amended by deleting the section.

SECTION 13. Notwithstanding § 4-29-112, the pest control board created by § 62-21-104 is terminated and ceases to exist on the effective date of this act.

SECTION 14. Tennessee Code Annotated, Section 4-29-243(a), is amended by inserting the following appropriately designated subdivision:

Pest control advisory board, created by § 62-21-104;

SECTION 15. The members serving on the pest control board on the date immediately preceding the effective date of this act may continue to serve on the pest control advisory board until the expiration of the member's term, at the will of the appointing authority.

SECTION 16. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

On motion of Senator Roberts, Amendment No. 1 was withdrawn.

Thereupon, **Senate Bill No. 1680**, as amended, passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Bailey, Bell, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbro and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senator Watson moved that **Senate Bill No. 2022** be placed at the heel of the Calendar for today, which motion prevailed.

Senate Bill No. 2078 -- TennCare -- As introduced, requires ambulance providers to submit an annual cost and utilization report to the bureau; authorizes the bureau, instead of the comptroller, to assess certain penalties for failure of providers to submit reports. Amends TCA Title 71, Chapter 5, Part 15.

Senator Crowe moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 71-5-1504(c), is amended by deleting the subsection and substituting the following:

(c) If the quarterly transport data is not adequate or available for the calculation of assessments, then the bureau shall use total transports submitted to

the office of emergency medical services for calendar year 2019. If neither the quarterly transport data nor total transports submitted to the office of emergency medical services are adequate or available, then the bureau shall use the annual cost and utilization report submitted pursuant to § 71-5-1507. The adequacy and availability of the data must be determined solely by the bureau.

SECTION 2. Tennessee Code Annotated, Section 71-5-1504, is amended by deleting subsections (f) and (g).

SECTION 3. Tennessee Code Annotated, Section 71-5-1508(d), is amended by deleting the subsection and substituting instead the following:

The ground ambulance provider assessment established by this part terminates on June 30, 2021.

SECTION 4. Tennessee Code Annotated, Title 71, Chapter 5, Part 15, is amended by adding the following as a new § 71-5-1507 and redesignating the existing § 71-5-1507 and subsequent sections:

71-5-1507.

(a) For the purposes of this part, all ambulance providers shall file an annual cost and utilization report reflecting the most recently completed calendar year.

(b) The submitted cost and utilization report must include:

(1) Specified data on any vehicle owned or operated by the ambulance provider that is used for the purposes of patient transport;

(2) Total number of manual ambulance stretchers;

(3) Total number of hydraulic ambulance stretchers;

(4) Information regarding twelve-lead cardiac capabilities;

(5) Revenue data by payer type;

(6) Total transport data by payer type; and

(7) Any additional information that is required by the bureau.

(c) The cost and utilization report must be filed with the bureau no later than May 31 of each calendar year and must contain data from the previous calendar year. The bureau shall assess a penalty of one hundred dollars (\$100) for each day that an ambulance provider does not submit a cost and utilization report in compliance with this section. However, the bureau may waive, in whole or in part, any penalty upon a determination that there is good cause for the waiver. The penalty imposed by this section supersedes any penalty imposed under § 12-4-304.

(d) The comptroller of the treasury is granted audit authority to test the accuracy of any and all cost and utilization reports submitted to the bureau for the purposes of this assessment.

SECTION 5. Tennessee Code Annotated, Section 71-5-1503(b)(3), is amended by deleting the language "fund created in § 71-5-1507" and substituting the language "fund created in § 71-5-1508".

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2078**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 2123 -- Hospitals and Health Care Facilities -- As introduced, requires the bureau of TennCare to provide notice to the chairs of the health and welfare committee of the senate and the health committee of the house of representatives prior to reducing payments on a pro rata basis for nursing facility and nursing home services so as not to exceed the amounts held in the nursing home assessment trust fund. Amends TCA Title 68 and Title 71.

Senator Reeves declared Rule 13 on **Senate Bill No. 2123**.

Senator Crowe moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 71-5-1002(h)(1), is amended by deleting the language "FY 2019-2020" and substituting instead the language "FY 2020-2021".

SECTION 2. Tennessee Code Annotated, Section 71-5-1003(c), is amended by deleting the language "from July 1, 2019, through June 30, 2020" and substituting instead the language "from July 1, 2020, through June 30, 2021".

SECTION 3. Tennessee Code Annotated, Section 71-5-1003(c)(1), is amended by deleting the language "July 1, 2019" and substituting instead the language "July 1, 2020".

SECTION 4. Tennessee Code Annotated, Section 71-5-1003(c)(2), is amended by deleting the language "July 1, 2019" and substituting instead the language "July 1, 2020".

SECTION 5. Tennessee Code Annotated, Section 71-5-1003(c)(3), is amended by deleting the language "July 1, 2019" and substituting instead the language "July 1, 2020".

SECTION 6. Tennessee Code Annotated, Section 71-5-1003(c)(4), is amended by deleting the language "after July 1, 2019, shall pay in FY 2019-2020" and substituting instead the language "after July 1, 2020, shall pay in FY 2020-2021".

SECTION 7. Tennessee Code Annotated, Section 71-5-1003(c)(5), is amended by deleting the language "from July 1, 2019, through June 30, 2020" and substituting instead the language "from July 1, 2020, through June 30, 2021".

SECTION 8. Tennessee Code Annotated, Section 71-5-1010(a), is amended by deleting the language "June 30, 2020" and substituting instead the language "June 30, 2021".

SECTION 9. This act shall take effect July 1, 2020, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2123**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 2182 -- Taxes, Sales -- As introduced, requires marketplace facilitators to remit sales tax. Amends TCA Title 67, Chapter 6.

Senator Johnson declared Rule 13 on **Senate Bill No. 2182**.

Senator Watson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-6-102(23)(L), is amended by deleting the language "; or" and substituting instead the language ";".

SECTION 2. Tennessee Code Annotated, Section 67-6-102(23)(M), is amended by adding the language "or" after the semi-colon.

SECTION 3. Tennessee Code Annotated, Section 67-6-102(23), is amended by adding the following as a new subdivision (N):

(N) Acts as a marketplace facilitator;

SECTION 4. Tennessee Code Annotated, Section 67-6-102(77), is amended by adding the language "and every marketplace facilitator" after the language "this chapter".

SECTION 5. Tennessee Code Annotated, Section 67-6-102(78), is amended by adding the following as a new, appropriately designated subdivision:

() "Sale" includes any sale, as otherwise defined in this subdivision (78), made or facilitated by a marketplace facilitator;

SECTION 6. Tennessee Code Annotated, Section 67-6-102, is amended by adding the following as new, appropriately designated subdivisions:

() "Delivery network company" means a business entity that maintains an internet website or mobile application used to facilitate delivery services for the sale of local products;

() "Delivery services" means the pickup of one (1) or more local products from a local merchant and delivery of the local products to a customer. "Delivery services" do

not include any delivery requiring over fifty (50) miles of travel from the local merchant to the customer;

() "Local merchant" means a third-party merchant, including, but not limited to, a kitchen, restaurant, grocery store, retail store, convenience store, or business of another type, that is not under common ownership or control with the delivery network company;

() "Marketplace" means a physical or electronic place, platform, or forum, including, but not limited to, a store, booth, internet website, catalog, or dedicated sales software application, where tangible personal property or any of the things or services taxable under this chapter are offered for sale;

() "Marketplace facilitator":

(A) Means a person, including any affiliate of the person, that:

(i) For consideration, regardless of whether characterized as fees from the transaction, contracts, or otherwise agrees with a marketplace

seller to facilitate the sale of the marketplace seller's tangible personal property or things or services taxable under this chapter through a physical or electronic marketplace operated, owned, or otherwise controlled by the person or the person's affiliate; and

(ii) Either directly or indirectly through contracts, agreements, or other arrangements with third parties, collects the payment from the purchaser of the marketplace seller's tangible personal property or things or services taxable under this chapter and transmits payment to the marketplace seller; and

(B) Does not include:

(i) A person who exclusively provides advertising services, including listing products for sale, so long as the person does not also engage directly or indirectly through one (1) or more affiliated persons in those activities described in subdivision () (A) that are unrelated to advertising services;

(ii) A person whose activity with respect to marketplace sales is limited to providing payment processing services between two (2) or more parties; or

(iii) A derivatives clearing organization, designated contract market, or foreign board of trade or swap execution facility that is registered with the Commodity Futures Trading Commission ("CFTC registered platforms"), or any clearing members, futures commission merchants, or brokers using the services of CFTC registered platforms;

(iv) A person that is a delivery network company; except, that a delivery network company that meets the definition set forth in subdivision () (A) may elect, in a reasonable manner and duration prescribed by the department, to be deemed a marketplace facilitator pursuant to this chapter.

() "Marketplace seller" means a person who makes sales through any marketplace operated, owned, or controlled by a marketplace facilitator;

SECTION 7. Tennessee Code Annotated, Section 67-6-201, is amended by adding the following as a new, appropriately designated subdivision:

() Acts as a marketplace facilitator as defined in § 67-6-102;

SECTION 8. Tennessee Code Annotated, Section 67-6-501, is amended by adding the following as new subsections:

(f) When a marketplace seller uses a marketplace facilitator to facilitate sales of tangible personal property or any of the things or services taxable under this chapter, the marketplace facilitator is liable for the taxes imposed by this chapter on

the sales price of the tangible personal property or the things or services taxable under this chapter regardless of whether the marketplace seller has a sales tax certificate of registration or would have been required to collect sales or use taxes had the sale not been facilitated by the marketplace facilitator unless:

(1) The marketplace facilitator made or facilitated total sales to consumers in this state of five hundred thousand dollars (\$500,000) or less during the previous twelve-month period;

(2) The marketplace facilitator demonstrates, to the satisfaction of the commissioner, that substantially all of the marketplace sellers for whom the marketplace facilitator facilitates sales are registered dealers under this section, in which case the commissioner is authorized to waive the requirements of this subsection (f). If a waiver is granted pursuant to this subdivision (f)(2), the taxes levied under this chapter shall be collectible from the marketplace sellers; or

(3) The marketplace facilitator and the marketplace seller contractually agree that the marketplace seller will collect and remit all applicable taxes under this chapter and the marketplace seller:

(A) Has annual gross sales in the United States of over one billion dollars (\$1,000,000,000), including the gross sales of any related entities, and in the case of franchised entities, including the combined sales of all franchisees of a single franchisor;

(B) Provides evidence to the marketplace facilitator that it is registered in this state under § 67-6-601; and

(C) Notifies the commissioner in a manner prescribed by the commissioner that the marketplace seller will collect and remit all applicable taxes under this chapter on its sales through the marketplace facilitator and is liable for failure to collect or remit applicable taxes on its sales.

(g) A marketplace seller shall not be obligated to collect and remit or be liable for the taxes levied or imposed by this chapter on any retail sale for which a marketplace facilitator has collected and remitted such tax.

(h) When a marketplace seller uses a marketplace facilitator to facilitate sales of tangible personal property or the things or services taxable under this chapter, the marketplace facilitator is not liable for the fee imposed under § 7-88-117, regardless of whether the marketplace seller is located within the district.

SECTION 9. Tennessee Code Annotated, Title 67, Chapter 6, Part 5, is amended by adding the following as a new, appropriately designated section:

67-6-5__.

(a) A marketplace facilitator that collects and remits the taxes imposed by this chapter shall collect taxes on sales through its marketplace based upon the address to which the tangible personal property or things taxable under this chapter are shipped; provided, however, that taxes collected by the marketplace facilitator on services sold through its marketplace shall be collected as otherwise provided in this chapter.

(b) A marketplace facilitator shall report the sales and use taxes on sales through its marketplace separately from any sales and use taxes collected on sales made directly by the marketplace facilitator or affiliates of the marketplace facilitator.

(c) The commissioner may, in the commissioner's sole discretion, audit a marketplace facilitator for sales made by marketplace sellers and facilitated by the marketplace facilitator, except with respect to transactions that are subject to § 67-6-501(f)(1)-(3). The commissioner shall not audit or otherwise assess taxes against marketplace sellers for sales facilitated by a marketplace facilitator except to the extent the marketplace facilitator seeks relief as provided below or with respect to transactions that are subject to § 67-6-501(f)(1)-(3).

(d) A marketplace facilitator shall be relieved of liability for failure to collect and remit the correct amount of taxes to the extent that the error was due to incorrect or insufficient information given to the marketplace facilitator by the marketplace seller if the marketplace facilitator demonstrates that it made a reasonable effort to obtain correct and sufficient information from the marketplace seller. This subsection (d) shall not apply if the marketplace facilitator and the marketplace seller are affiliates.

(e) No class action lawsuit may be brought against a marketplace facilitator in this state on behalf of purchasers relating to overcollection of sale or use taxes by the marketplace facilitator, regardless of whether that claim is characterized as a tax refund claim.

(f) Nothing in this section affects the obligation of any purchaser to remit sales or use taxes for any taxable transaction for which a marketplace facilitator or seller does not collect and remit sales and use taxes.

SECTION 10. Tennessee Code Annotated, Section 67-6-601, is amended by adding the following language as a new subsection:

(d) Only for sole purposes of this chapter, including registering with the department, a marketplace facilitator shall be considered the seller and retailer for each sale facilitated through its marketplace.

SECTION 11. This act shall take effect October 1, 2020, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2182**, as amended, passed its third and final consideration by the following vote:

WEDNESDAY, MARCH 18, 2020 -- 56TH LEGISLATIVE DAY

Ayes 30
Noes 0
Present, not voting . . . 1

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Lundberg, Massey, Niceley, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbro and Mr. Speaker McNally--30.

Senators present and not voting were: Kyle--1.

A motion to reconsider was tabled.

Senator Roberts moved that **Senate Bill No. 2287** be placed on the Calendar for Thursday, March 19, 2020, which motion prevailed.

Senate Bill No. 2299 -- Election Laws -- As introduced, authorizes coordinator of elections to notify administrators, deputies, or county election commissioners, within 30 days of the administrators', deputies', or commissioners' appointments, of any statewide or regional training seminars to be conducted by the coordinator during the 12-month period following their initial appointment. Amends TCA Title 2.

On motion, Senate Bill No. 2299 was made to conform with **House Bill No. 2364**.

On motion, House Bill No. 2364, on same subject, was substituted for Senate Bill No. 2299.

On motion of Senator Dickerson, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2364** passed its third and final consideration by the following vote:

Ayes 28
Noes 3

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Lundberg, Massey, Niceley, Powers, Reeves, Roberts, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbro and Mr. Speaker McNally--28.

Senators voting no were: Gilmore, Kyle and Robinson--3.

A motion to reconsider was tabled.

MOTION

Senator Roberts moved that **Senate Bill No. 2453** be rereferred to the Committee on Calendar, which motion prevailed.

Senate Bill No. 2492 -- Alcoholic Beverages -- As introduced, deletes an antiquated reporting requirement relating to an expired pilot project of the alcoholic beverage commission related to the sale of alcoholic beverages and beer on the premises. Amends TCA Title 57.

Senator Dickerson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following new subdivisions:

() A commercially operated facility possessing each of the following characteristics:

(i) Has a marina with at least eighty-five (85) boat slips on Dale Hollow Lake at the confluence of the East and West Forks of the Obey River;

(ii) Has a restaurant with seating for approximately eighty (80) patrons;

(iii) Has assorted boats and at least twelve (12) cabins available for rent; and

(iv) Is located in a county having a population of not less than five thousand (5,000) and not more than five thousand one hundred (5,100), according to the 2010 federal census or any subsequent federal census;

() A commercially operated facility possessing each of the following characteristics:

(i) Is located approximately one (1) mile from Dale Hollow Lake, containing an area of ninety (90) acres;

(ii) Has a six-thousand-square-foot barn with a commercial kitchen used for events;

(iii) Has at least two (2) cabins for rent; and

(iv) Is located on Bolestown Road in a county having a population of not less than five thousand (5,000) and not more than five thousand one hundred (5,100), according to the 2010 federal census or any subsequent federal census;

() A commercially owned marina containing all of the following characteristics:

(i) Is located on at least twenty-five (25) acres of land located off of Livingston Boat Dock Road in a county having a population of not less than seven thousand eight hundred fifty-one (7,851) and not more than seven thousand eight hundred sixty-five (7,865), according to the 2010 federal census or any subsequent federal census;

(ii) Has a two-story restaurant that seats at least one hundred eighty (180) people;

(iii) Has at least three hundred fifty-five (355) boat slips and a full-service marina on Dale Hollow Lake; and

(iv) Includes at least ten (10) rental cabins;

() A commercially owned marina containing all of the following characteristics:

(i) Is located on at least forty (40) acres of land located off of state highway 294 in a county having a population of not less than seven thousand eight hundred fifty-one (7,851) and not more than seven thousand eight hundred sixty-five (7,865), according to the 2010 federal census or any subsequent federal census;

(ii) Has a restaurant that seats at least fifty (50) people;

(iii) Has approximately three hundred fifty (350) boat slips and a full-service marina on Dale Hollow Lake; and

(iv) Includes at least eleven (11) rental cabins;

SECTION 2. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

(i) A commercially operated facility that:

(a) Is located on approximately two hundred seventy (270) acres of land and sits approximately nineteen (19) miles south of highway 24 in a county with a population of not less than forty-five thousand (45,000) and not more than forty-five thousand one hundred (45,100), according to the 2010 and any subsequent federal census;

(b) Is located on property that is separately licensed to produce, bottle, and store distilled spirits;

(c) Is located on property that offers tours and tastings, as well as the retail sale of merchandise and bottles of spirits and contains the global headquarters for a premium Tennessee whiskey company;

(d) Is located on property that includes a welcome center, three (3) tasting rooms, distillery building, barrel storage facilities, a pond, museum, bar, restaurant, commercial kitchen, miniature golf course, and live music venue;

(e) Is located on property that serves as a horse breeding and training facility;

(f) Is located on property that is a production site and a venue for weddings, meetings, conferences, concerts, and special events; and

(g) Has a restaurant that serves lunch and dinner, and caters for events with seating for at least forty-five (45) guests;

(ii) The commission and any beer board having jurisdiction over the facility may issue one (1) or more licenses to one (1) or more different persons or entities that meet the qualifications of this subdivision (27)(); provided, that the persons or entities obtaining licenses under this subdivision (27)() (ii) and any manufacturer licensed under § 57-3-202 comply with the requirements of § 57-4-110;

(iii) The premises of a facility licensed under this subdivision (27)() means any or all of the property that constitutes the facility; provided, that the premises must not include the premises of a manufacturer licensed under § 57-3-202 or any other facility licensed under this subdivision (27)(), except as authorized pursuant to § 57-4-101(p). The licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing; and

(iv) Notwithstanding any provision of chapter 5 of this title to the contrary, the premises of any facility licensed under this subdivision (27)() means for beer permitting purposes any or all of the property that constitutes the facility; provided, however, that the premises must not include the premises of a licensee under § 57-3-202 or any other facility licensed under this subdivision (27)(), except as authorized pursuant to § 57-4-101(p). The beer permittee shall designate the premises to be permitted by the local beer board by filing a drawing of the premises, which may be amended by the beer permittee filing a new drawing;

SECTION 3. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

() A commercially operated restaurant, resort, and boat dock with fuel having the following characteristics:

(i) Possesses at least twenty (20) acres of U.S. corps of engineers leased water and water frontage on Old Hickory Lake and two thousand feet (2000') of river channel at the southeast corner of the confluence of Old Hickory Lake and State Highway 109;

(ii) Has operated for at least sixty (60) straight years on this site;

- (iii) Possesses at least sixty-five (65) full service paved camp sites;
- (iv) Possesses boat slips for at least two hundred fifty (250) boats; and
- (v) Is located on at least ten (10) acres of real property at that site;

SECTION 4. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

- () A commercially operated facility that:
 - (i) Includes an eighteen-hole golf course, a seven-thousand-square-foot clubhouse with a pro shop, banquet room, and restaurant with seating for at least forty (40) patrons;
 - (ii) Contains at least one hundred (100) acres and less than two hundred (200) acres; and
 - (iii) Is located less than one (1) mile from Fort Loudon Lake on Kingston Pike in a county having a population of not less than four hundred thirty-two thousand two hundred (432,200) nor more than four hundred thirty-two thousand three hundred (432,300), according to the 2010 federal census or any subsequent federal census;

SECTION 5. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following new subdivision:

- () A commercially operated independent and assisted living facility possessing the following characteristics:
 - (i) Is located in a county having a population of not less than nine hundred thousand (900,000), according to the 2010 federal census or any subsequent federal census;
 - (ii) Has both independent and assisted living facilities available and provides memory care and respite service;
 - (iii) Has several full-service restaurants and dining rooms to service the residents but that are also open to the public and that serve three (3) chef-prepared meals per day;
 - (iv) Has a complete wellness and fitness facility available that accommodates physical and occupational therapy;
 - (v) Has complete recreational facilities for its residents;
 - (vi) Has not less than one hundred thirty-five (135) individual living unit apartments for residents;

(vii) Does not discriminate against any patron on the basis of gender, race, religion, or national origin; and

(viii) Has a full-service barber and beauty salon;

SECTION 6. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

()

(i) A commercially operated facility having all of the following characteristics:

(a) The facility is located on approximately five hundred (500) acres of land;

(b) The facility is located less than three (3) miles north of an area designated as The South Cumberland State Park consisting of approximately thirty thousand (30,000) acres that is open to the public;

(c) The facility is located within five (5) miles of Interstate 24 in a county having a population of not less than thirteen thousand seven hundred (13,700) nor more than thirteen thousand seven hundred fifty (13,750), according to the 2010 federal census or any subsequent federal census;

(d) The facility includes two (2) cabins, a tiny house, a stage, three (3) fishing ponds, a check-in facility, a bathhouse, fifty (50) RV hookups, multiple hiking trails, frisbee golf, and a wedding pavilion;

(e) The facility serves as a venue for weddings, meetings, and conferences; and

(f) The facility has two (2) event centers that can accommodate at least one hundred fifty (150) guests at each center;

(ii) The premises of any facility licensed under this subdivision (27)() means any or all of the property that constitutes the facility. The licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing. The entire designated premises is covered under one (1) license issued under this subdivision (27)();

(iii) Notwithstanding any provision of chapter 5 of this title to the contrary, the premises of any facility licensed under this subdivision (27)() means, for beer permitting purposes, any or all of the property that constitutes the facility. The beer permittee shall designate the premises to be permitted by the local beer board by filing a drawing of the premises, which may be amended by the beer permittee filing a new drawing. The entire designated

premises is covered under one (1) beer permit issued under chapter 5 of this title;

(iv) The requirements of § 57-5-105(b)(1) do not apply to any facility licensed under this subdivision (27)() ; and

(v) Any facility licensed under this subdivision (27)() may seek an additional license as a caterer under this chapter;

SECTION 7. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following new subdivisions:

() A commercially operated facility having the following characteristics:

(i) Contains a restaurant in a free-standing building with retail space and consisting of approximately three thousand square feet (3,000 sq. ft.); and

(ii) Is located at the intersection of state highways 46 and 100 in a county having a population of not less than twenty-four thousand six hundred seventy-six (24,676) nor more than twenty-four thousand seven hundred (24,700), according to the 2010 federal census or any subsequent federal census;

() A commercially operated facility having the following characteristics:

(i) Contains a full-service restaurant with seating for at least twenty-nine patrons inside and fourteen (14) patrons outside and that does not use a freezer or a fryer; and

(ii) Is located less than one thousand feet (1,000') from a United States Post Office and approximately one mile (1 mi.) from a state natural area featuring a small remnant forest having old growth forest characteristics in a county having a population of not less than twenty-four thousand six hundred seventy-six (24,676) nor more than twenty-four thousand seven hundred (24,700), according to the 2010 federal census or any subsequent federal census;

() A commercially operated facility having the following characteristics:

(i) Contains a full-service restaurant that features live music and that is adjacent to a custom motorcycle shop; and

(ii) Is located less than three hundred feet (300') from a United States Post Office and approximately one mile (1 mi.) from a state natural area featuring a small remnant forest having old growth forest characteristics in a county having a population of not less than twenty-four thousand six hundred seventy-six (24,676) nor more than twenty-four thousand seven hundred (24,700), according to the 2010 federal census or any subsequent federal census;

SECTION 8. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following language as a new subdivision:

() A commercially operated facility possessing each of the following characteristics:

(i) Contains a restaurant that has been in operation since at least 2012 with at least forty-two (42) seats inside and seventy-five (75) seats outside;

(ii) Contains a banquet hall that is used for weddings, banquets, meetings, and other events and is at least three thousand square feet (3,000 sq. ft.); and

(iii) Is located approximately seven hundred (700) yards from state highway 641 South and is adjacent to a winery in a county having a population of not less than thirty-two thousand three hundred one (32,301) nor more than thirty-two thousand four hundred (32,400), according to the 2010 federal census or any subsequent federal census;

SECTION 9. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following new subdivisions:

() A commercially operated marina having the following characteristics:

() Has open and covered boat slips, a store, a restaurant, and a fuel dock;

() Has cabins and RV campsites available for rent; and

() Is located on Cordell Hull Lake approximately three thousand feet (3,000') from the confluence of Defeated Creek and the Cumberland River in a county having a population of not less than nineteen thousand one hundred fifty-one (19,151) nor more than nineteen thousand two hundred (19,200), according to the 2010 federal census or any subsequent federal census;

() A commercially operated restaurant having the following characteristics:

() Has a structure of not less than two thousand square feet (2,000 sq. ft.) that has seating at tables and at the bar for at least ninety-six (96) guests and serves at least one (1) meal a day seven (7) days a week, with the exception of holidays, vacations, and periods of redecorating; and

() Is located approximately two thousand five hundred feet (2,500') from two (2) islands in Old Hickory Lake in a county having a population of not less than one hundred thirteen thousand nine hundred (113,900) nor more than one hundred fourteen thousand (114,000), according to the 2010 federal census or any subsequent federal census;

SECTION 10. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

() A commercially operated marina possessing each of the following characteristics:

(i) Is located on Norris Lake in a county having a population of not less than forty thousand seven hundred (40,700) nor more than forty thousand eight hundred (40,800), according to the 2010 federal census or any subsequent federal census;

(ii) Has at least sixty (60) covered boat slips and at least twelve (12) uncovered boat slips;

(iii) Has a ship store offering gasoline and other boating supplies and a restaurant with seating for at least eighty (80) patrons, including indoor and outdoor seating; and

(iv) Is located approximately one and one-half (1 ½) miles from a county-owned, public-use airport with a runway four thousand feet (4,000') in length;

SECTION 11. Tennessee Code Annotated, Section 57-4-102(27) is amended by adding the following new subdivision:

(i) A commercially operated facility that:

(a) Has a limestone quarry that sits approximately one thousand seven hundred feet (1,700') southeast of Interstate 65, two thousand seven hundred feet (2,700') south of Interstate 840, and four and six-tenths (4.6) miles north of the junction of US 431 and State Route 247;

(b) Is a venue for live music, weddings, meetings, and other events;

(c) Serves or sells food to patrons;

(d) Has an outdoor amphitheater with a capacity for at least seven thousand (7,000) guests;

(e) Has exclusive or non-exclusive rights to possess or use a commercial kitchen or service kitchen where food is staged and served; and

(f) Is located in a county having a population of not less than one hundred eighty-three thousand one hundred (183,100) and not more than one hundred eighty-three thousand two hundred (183,200), according to the 2010 federal census or any subsequent federal census;

(ii) The premises of any facility licensed under this subdivision (27)() means any and all of the property that constitutes the facility, including all enclosed and

outdoor areas of the property. The licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing;

(iii) Any facility as described in this subdivision (27)(), may hold any of the licenses authorized under this subdivision (27)() and shall have the privilege of granting a franchise to one (1) or more entities authorizing such an entity to provide food or beverages, including alcoholic beverages and beer, on its premises. For purposes of this subdivision (27)()(iii), the licensee is not required to have exclusive control of a commercial kitchen or any service kitchen, where food is staged and served, as a condition of the license;

(iv) Any licensed entity that holds a license under this subdivision (27)() may store alcoholic beverages and beer at one (1) or more storage locations in the facility and in any commercial kitchen or service kitchen within the facility; provided, that each licensed entity shall store its inventory of alcoholic beverages and beer in a separately locked cage or other storage area;

(v) Notwithstanding § 57-4-101(p), any facility licensed under this subdivision (27)() may serve wine, high gravity beer and beer in its original container, and spirit-based beverages in original containers that do not exceed three hundred seventy-five milliliters (375 ml) and an alcohol content that does not exceed fifteen percent (15%) by volume, or in unlabeled cups or glassware, or in labeled cups or glassware identifying the licensee as the entity selling the alcoholic beverages or beer for on-premise consumption anywhere within the facility. Any franchisee holding a license under this subdivision (27)() shall comply with the requirements of § 57-4-101(p); provided, however, that a sticker identifying the licensee, which is reasonably designed to stay affixed to a container, cup, or glassware, must comply with § 57-4-101(p);

(vi) The commission shall enforce chapter 4 of this title against each licensee under this subdivision (27)() and shall not cite, penalize, or take any other adverse action against a licensee for any violation committed by another licensee on the licensed premises. There is a rebuttable presumption of liability for a specific licensee for any underage sale or other violation based on the unlabeled or labeled container, or unlabeled or labeled cup or glassware, as required pursuant to subdivision (27)()(v), provided to the minor. In the absence of a container, glass, or cup identifying the licensee, the commission has the discretion to determine which licensee to cite for an underage sale or other such violation. If the commission is unable to determine which licensee committed the violation after conducting a reasonable investigation, the commission may issue a citation to one (1) or more licensees that share the premises where the violation occurred;

(vii) Notwithstanding any provision of chapter 5 of this title to the contrary, the premises of any facility described under this subdivision (27)() means, for the purpose of obtaining a beer permit, any and all of the property that constitutes the facility, including all enclosed and outdoor areas of the property. The beer permittee shall designate the premises to be licensed by the local beer board by filing a drawing of the premises, which may be amended by the beer permittee filing a new drawing. The beer board shall enforce chapter 5 of this title against each licensee as a beer

permittee and shall not cite, penalize, or take any other adverse action against a licensee for any violation committed by another licensee on the licensed premises. There is a rebuttable presumption of liability for a specific licensee for any underage sale or other violation based on the unlabeled or labeled container, or unlabeled or labeled cup or glassware, as required pursuant to subdivision (27)() (v), provided to the minor. In the absence of a container, glass, or cup identifying the licensee, the local beer board has the discretion to determine which licensee to cite for an underage sale or other such violation. If the beer board is unable to determine which licensee committed the violation after conducting a reasonable investigation, the beer board may issue a citation to one (1) or more licensees that share the premises where the violation occurred;

(viii) Notwithstanding § 57-4-203(e)(1), any licensee licensed under this subdivision (27)() may sell and distribute wine in any unsealed container for consumption on the licensed premises;

(ix) Any licensee licensed under this subdivision (27)() may seek an additional license as a caterer under chapter 4 of this title, and is not required to comply with the requirements of § 57-4-102(6)(A) or show exclusive control of a commercial kitchen or any service kitchen, where food is staged and served, as a condition of the license. Caterers licensed under this subdivision (27)() (ix) may store alcoholic beverages and beer in any shared commercial kitchen or service kitchen. The inventory of alcoholic beverages and beer must be stored in a separately locked cage or other storage area;

(x) Nothing in this subdivision (27)() may be construed to prevent a facility, as described under this subdivision (27)(), from designating any area of its premises for purposes authorized under this subdivision (27)(), or for the purposes of an entity licensed under this title; provided, that premises designated for use by another entity under this title are no longer part of the premises of any license issued under this subdivision (27)(), except as provided in § 57-4-101(p); and

(xi) The facility, landlord, tenant, or any licensee located in the facility shall provide periodic security for the entire licensed premises;

SECTION 12. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

()

(i) A commercially operated recreational facility having all of the following characteristics:

(a) The facility is located approximately one mile (1 mi.) from the confluence of Clear Creek and the Obed River and is centrally located in one of this state's rock climbing meccas;

(b) The facility is located on approximately forty (40) acres;

(c) The facility provides at least forty (40) campsites and contains a restaurant and a brewery; and

(d) The facility is located in a county having a population of not less than twenty-one thousand nine hundred (21,900) nor more than twenty-two thousand (22,000), according to the 2010 federal census or any subsequent federal census; and

(ii) The premises of any facility licensed under this subdivision (27)() means any or all of the property that constitutes the facility. A licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing;

SECTION 13. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2492**, as amended, passed its third and final consideration by the following vote:

Ayes 24
Noes 5

Senators voting aye were: Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Powers, Reeves, Roberts, Robinson, Stevens, Swann, Watson, White, Yager, Yarbro and Mr. Speaker McNally--24.

Senators voting no were: Bell, Bowling, Hensley, Rose and Southerland--5.

A motion to reconsider was tabled.

Senate Resolution No. 141 -- General Assembly, Review Or Ratification of Rules -- Ratifies and approves the amendments and revisions to the Tennessee Rules of Civil Procedure as promulgated by the Supreme Court.

Senator Kelsey declared Rule 13 on **Senate Resolution No. 141**.

Senate Resolution No. 141 was adopted by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 2022 -- TennCare -- As introduced, enacts the "Annual Coverage Assessment Act of 2020." Amends TCA Title 71, Chapter 5 and Chapter 434 of the Public Acts of 2019.

Senator Crowe declared Rule 13 on **Senate Bill No. 2022**.

Senator Reeves declared Rule 13 on **Senate Bill No. 2022**.

Senator Crowe moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, Part 20, is amended by deleting the part and substituting the following:

71-5-2001. Short title.

This part shall be known and may be cited as the "Annual Coverage Assessment Act of 2020."

71-5-2002. Part definitions.

As used in this part:

(1) "Annual coverage assessment" means the annual assessment imposed on covered hospitals as set forth in this part;

(2) "Annual coverage assessment base" means a covered hospital's net patient revenue as shown in its medicare cost report for its fiscal year that ended during calendar year 2016, on file with CMS as of September 30, 2018, subject to the following qualifications:

(A) If a covered hospital does not have a full twelve-month medicare cost report for 2016 on file with CMS but has a full twelve-month cost report for a subsequent year, then the first full twelve-month medicare cost report for a year following 2016 on file with CMS is the annual coverage assessment base;

(B) If a covered hospital does not have a full twelve-month medicare cost report for 2016 on file with CMS and does not have a full

twelve-month cost report for a subsequent year but has a cost report for 2016 that covers at least nine (9) months of 2016, then the assessment base is calculated by annualizing the 2016 cost report data;

(C) If a covered hospital was first licensed in 2016 or later and did not replace an existing hospital, and if the hospital has a medicare cost report on file with CMS, then the hospital's initial cost report on file with CMS is the base for the hospital assessment. If the hospital does not have an initial cost report on file with CMS but does have a complete twelve-month joint annual report filed with the department of health, then the net patient revenue from the first twelve-month joint annual report is the annual coverage assessment base. If the hospital does not have a medicare cost report or a full twelve-month joint annual report filed with the department of health, then the annual coverage assessment base is the covered hospital's projected net patient revenue for its first full year of operation as shown in its certificate of need application filed with the health services and development agency;

(D) If a covered hospital was first licensed in 2016 or later and replaced an existing hospital, then the annual coverage assessment base is the replacement hospital's initial medicare cost report on file with CMS. If the hospital does not have a medicare cost report on file with CMS, then the hospital's annual coverage assessment base is either the predecessor hospital's net patient revenue as shown in its medicare cost report for its fiscal year that ended during calendar year 2016, or, if the predecessor hospital does not have a 2016 medicare cost report, then the cost report for the first fiscal year following 2016 on file with CMS;

(E) If a covered hospital is not required to file an annual medicare cost report with CMS, then the hospital's annual coverage assessment base is its net patient revenue for the fiscal year ending during calendar year 2016 or the first fiscal year that the hospital was in operation after 2016 as shown in the covered hospital's joint annual report filed with the department of health; and

(F) If a covered hospital's fiscal year 2016 medicare cost report is not contained in any of the CMS healthcare cost report information system files and if the hospital does not meet any of the other qualifications listed in subdivisions (2)(A)-(E), then the hospital must submit a copy of the hospital's 2016 medicare cost report to the bureau in order to allow for the determination of the hospital's net patient revenue for the state fiscal year 2020-2021 annual coverage assessment;

(3) "Bureau" means the bureau of TennCare;

(4) "CMS" means the federal centers for medicare and medicaid services;

(5) "Controlling person" means a person who, by ownership, contract, or otherwise, has the authority to control the business operations of a covered

hospital. As used in this subdivision (5), "control" means indirect or direct ownership of ten percent (10%) or more of a covered hospital;

(6) "Covered hospital" means a hospital licensed under title 33 or title 68, as of July 1, 2020, but does not include an excluded hospital;

(7) "Excluded hospital" means:

(A) A hospital that has been designated by CMS as a critical access hospital as of July 1, 2020;

(B) A mental health hospital owned by this state;

(C) A hospital providing primarily rehabilitative or long-term acute care services;

(D) A children's research hospital that does not charge patients for services beyond that reimbursed by third-party payers; and

(E) A hospital that is determined by the bureau as eligible to certify public expenditures for the purpose of securing federal medical assistance percentage payments;

(8) "Medicare cost report" means CMS-2552-10 or a subsequent form adopted by CMS for medicare cost reporting, the cost report for electronic filing of hospitals, for the period applicable as set forth in this section; and

(9) "Net patient revenue" from the medicare cost report means the amount calculated in accordance with generally accepted accounting principles for hospitals that is reported on Worksheet G-3, Column 1, Line 3, of the 2016 medicare cost report excluding long-term care inpatient ancillary and other non-hospital revenues, or, in the case of a hospital that did not file a 2016 medicare cost report, comparable data from the first complete cost report filed after 2016 by the hospital.

71-5-2003. Annual coverage assessment on covered hospitals.

(a) There is imposed on each covered hospital licensed as of July 1, 2020, an annual coverage assessment for fiscal year (FY) 2020-2021 as set forth in this part.

(b) The annual coverage assessment imposed by this part is not effective and validly imposed until the bureau has provided the Tennessee Hospital Association with written notice that includes:

(1) A determination from CMS that the annual coverage assessment is a permissible source of revenue that must not adversely affect the amount of federal financial participation in the TennCare program;

(2) Either:

(A) Approval from CMS for the distribution of the full amount of directed payments to hospitals to offset unreimbursed TennCare costs as described in § 71-5-2005(d)(2) as long as no assessment installment is collected prior to the distribution of the installment of the directed payments; or

(B) The rules promulgated by the bureau pursuant to § 71-5-2004(j)(2); and

(3) Confirmation that all contracts between hospitals and managed care organizations comply with the hospital rate variation corridors set forth in § 71-5- 161.

(c) The general assembly intends that the proceeds of the annual coverage assessment not be used as a justification to reduce or eliminate state funding to the TennCare program. The annual coverage assessment is not effective and validly imposed if the coverage or the amount of revenue available for expenditure by the TennCare program in FY 2020-2021 is less than:

(1) The governor's FY 2020-2021 recommended budget level; plus

(2) Additional appropriations made by the general assembly to the TennCare program for FY 2020-2021, except to the extent new federal funding is available to replace funds that are appropriated as described in subdivision (c)(1) and that are above the amount that the state receives from CMS under the regular federal matching assistance percentage.

(d)

(1)

(A) The general assembly intends that the proceeds of the annual coverage assessment not be used as justification for any TennCare managed care organization to implement across-the-board rate reductions to negotiated rates with covered or excluded hospitals or physicians in existence on July 1, 2020. For those rates in effect on July 1, 2020, the bureau shall include provisions in the managed care organizations' contractor risk agreements that prohibit the managed care organizations from implementing across-the-board rate reductions to covered or excluded network hospitals or physicians by specific service, category, or type of provider. The requirements of the preceding sentence also apply to services or settings of care that are ancillary to the primary license of a covered or excluded hospital or physician, but do not apply to reductions in benefits or reimbursement for the ancillary services if the reductions:

(i) Are different from those items being funded in § 71-5- 2005(d); and

(ii) Have been communicated in advance of implementation to the general assembly and the Tennessee Hospital Association.

(B)

(i) For purposes of this subsection (d), "services or settings of care that are ancillary to the primary license of a covered or excluded hospital or physician" includes all services where the physician or covered or excluded hospital, including a wholly owned subsidiary or controlled affiliate of a covered or excluded hospital or hospital system, holds more than a fifty percent (50%) controlling interest in the ancillary services or settings of care, but does not include any other ancillary services or settings of care. For across-the-board rate reductions to ancillary services or settings of care, the bureau shall include appropriate requirements for notice to providers in the managed care organizations' contractor risk agreements.

(ii) For purposes of this subsection (d), "services or settings of care that are ancillary" means, but is not limited to, ambulatory surgical facilities, free standing emergency departments, outpatient treatment clinics or imaging centers, dialysis centers, home health and related services, home infusion therapy services, outpatient rehabilitation, or skilled nursing services.

(iii) For purposes of this subsection (d), "physician" includes a physician licensed under title 63, chapter 6 or chapter 9, and a group practice of physicians that hold a contract with a managed care organization.

(2) This subsection (d) does not preclude good faith negotiations between managed care organizations and covered or excluded hospitals, hospital systems, and physicians on an individualized, case-by-case basis, nor is this subsection (d) intended by the general assembly to serve as justification for managed care organizations in this state, covered or excluded hospitals, hospital systems, or physicians to unreasonably deny any party the ability to enter into the individualized, case-by-case good faith negotiations. Good faith negotiation necessarily implies mutual cooperation between the negotiating parties and may include, but is not limited to, the right to terminate contractual agreements, the ability to modify negotiated rates, pricing, or units of service, the ability to alter payment methodologies, and the ability to enforce existing managed care techniques or to implement new managed care techniques.

(3) This subsection (d) does not preclude the full implementation of the requirements set forth in § 71-5-161.

(4) Notwithstanding this subsection (d), if CMS mandates a TennCare program change or a change is required by state or federal law that impacts rates, and that change is required to be implemented by the managed care organizations in accordance with their contracts, or if the annual coverage assessment becomes invalid, then nothing in this part prohibits the managed care organizations from implementing any rate changes as may be mandated by the bureau or by state or federal law.

71-5-2004. Amount of annual coverage assessment — Payment — Penalty — Suspension of payments — Civil action.

(a) The annual coverage assessment established for this part is four and eighty-seven hundredths percent (4.87%) of a covered hospital's annual coverage assessment base.

(b) The annual coverage assessment must be paid in installments pursuant to this subsection (b) if the requirements of § 71-5-2003(b) have been satisfied. The bureau shall establish a schedule of four (4) equal installment payments spread as evenly as possible throughout FY 2020-2021 with each installment payment due fifteen (15) days after the FY 2020-2021 directed payments approved by CMS to offset unreimbursed TennCare costs have been made to hospitals.

(c) To facilitate collection of the annual coverage assessment, the bureau shall send each covered hospital, at least thirty (30) days in advance of each installment payment due date, a notice of payment along with a return form developed by the bureau. Failure of a covered hospital to receive a notice and return form, however, does not relieve a covered hospital from the obligation of timely payment. The bureau shall also post the return form on its website.

(d) Failure of a covered hospital to pay an installment of the annual coverage assessment, when due, results in an imposition of a penalty of five hundred dollars (\$500) per day until the installment is paid in full. The bureau at its discretion may waive the penalty if the hospital establishes that it attempted to mail or electronically transfer payment to the state on or before the date the payment was due.

(e) If a covered hospital ceases to operate or changes status to be an excluded hospital after July 1, 2020, and before July 1, 2021, the hospital's total annual coverage assessment is equal to its annual coverage assessment base multiplied by a fraction, the denominator of which is the number of calendar days from July 1, 2020, until July 1, 2021, and the numerator of which is the number of days from July 1, 2020, until the date the board for licensing healthcare facilities has recorded as the date that the hospital changed status or ceased operation.

(f) If a covered hospital ceases operation prior to payment of its full annual coverage assessment, then the person controlling the hospital as of the date the hospital ceased operation is jointly and severally responsible for any remaining annual coverage assessment installments and unpaid penalties associated with previous late payments.

(g) If a covered hospital is sold after July 1, 2020 and before July 1, 2021, the seller is responsible for any annual coverage assessment payments due for the period up to and including the date the sale is final. If the hospital continues to operate in this state and continues to meet the definition of a covered hospital, then the new owner is responsible for paying all coverage assessment amounts due for the period beginning on the day after the date of the sale until July 1, 2021.

(h) If a covered hospital fails to pay an installment of the annual coverage assessment within thirty (30) days of its due date, then the bureau must suspend the payments to the hospital as required by § 71-5-2005(d)(2) or (d)(3) until the installment is paid and report the failure to the department that licenses the covered hospital. Notwithstanding any other law, failure of a covered hospital to pay an installment of the annual coverage assessment or any refund required by this part is considered a license deficiency and grounds for disciplinary action as set forth in the statutes and rules under which the covered hospital is licensed.

(i) In addition to the action required by subsection (h), the bureau is authorized to file a civil action against a covered hospital and its controlling person or persons to collect delinquent annual coverage assessment installments, late penalties, and refund obligations established by this part. Exclusive jurisdiction and venue for a civil action authorized by this subsection (i) is in the chancery court for Davidson County.

(j)

(1) If any federal agency with jurisdiction over this annual coverage assessment determines that the annual coverage assessment is not a valid source of revenue or if there is a reduction of the coverage and funding of the TennCare program contrary to § 71-5-2003(c), or if the requirements of §§ 71-5-161 and 71-5-2003(b) are not fully satisfied, or if one (1) or more managed care organizations impose rate reductions contrary to § 71-5-2003(d), then:

(A) No subsequent installments of the annual coverage assessment are due and payable; and

(B) No further payments must be paid to hospitals pursuant to § 71-5-2005(d)(2) or (d)(3) after the date of the event.

(2)

(A) Notwithstanding this part, if CMS discontinues approval of or otherwise fails to approve the full amount of directed payments to hospitals to offset losses incurred from providing services to TennCare enrollees as authorized under § 71-5-2005(d), then the bureau must suspend any payments from or to covered hospitals otherwise required by this part and must promulgate rules that:

(i) Establish the methodology for determining the amounts, categories, and times of payments to hospitals, if

any, instead of the payments that otherwise would have been paid under § 71-5- 2005(d)(3) if approved by CMS;

(ii) Prioritize payments to hospitals as set forth in § 71-5- 2005(d)(3);

(iii) Identify the benefits and services for which funds will be available in order to mitigate reductions or eliminations that otherwise would be imposed in the absence of the coverage assessment;

(iv) Determine the amount and timing of payments for benefits and services identified under subdivisions (j)(2)(A)(ii) and (iii) as appropriate;

(v) Reinstitute payments from or to covered hospitals as appropriate; and

(vi) Otherwise achieve the goals of this subdivision (j)(2).

(B) The rules adopted under this subdivision (j)(2) must, to the extent possible, achieve the goals of:

(i) Maximizing the amount of federal matching funds available for the TennCare program; and

(ii) Minimizing the variation between payments hospitals will receive under the rules as compared to payments hospitals would have received if CMS had approved the total payments described in § 71-5-2005(d).

(C) Notwithstanding any other law, the bureau is authorized to exercise emergency rulemaking authority to the extent necessary to meet the objectives of this subdivision (j)(2).

(3) Upon occurrence of any of the events set forth in subdivision (j)(1) or (j)(2), the bureau shall then have authority to make necessary changes to the TennCare budget to account for the loss of annual coverage assessment revenue.

(k) A covered hospital or an association representing covered hospitals, the membership of which includes thirty (30) or more covered hospitals, has the right to file a petition for a declaratory order pursuant to § 4-5-223 to determine if there has been a failure to meet any of the requirements of this part. A covered hospital may not increase charges or add a surcharge based on, or as a result of, the annual coverage assessment.

71-5-2005. Deposits in Maintenance of Coverage Trust Fund — Expenditures — Quarterly Reports.

(a) The funds generated as a result of this part must be deposited in the maintenance of coverage trust fund created by § 71-5-160, the existence of which is continued as provided in subsection (b). The fund must not be used to replace any monies otherwise appropriated to the TennCare program by the general assembly or to replace any monies appropriated outside of the TennCare program.

(b) The maintenance of coverage trust fund must continue without interruption and must be operated in accordance with § 71-5-160 and this section.

(c) The maintenance of coverage trust fund consists of:

(1) The balance of the trust fund remaining as of June 30, 2020;

(2) All annual coverage assessments received by the bureau;

(3) Investment earnings credited to the assets of the maintenance of coverage trust fund; and

(4) Penalties paid by covered hospitals for late payment of assessment installments imposed by this part or any prior statute authorizing an annual coverage assessment.

(d) Monies credited or deposited to the maintenance of coverage trust fund, together with all federal matching funds, must be available to and used by the bureau only for expenditures in the TennCare program and include the following purposes:

(1) Expenditure for benefits and services under the TennCare program, including those that would have been subject to reduction or elimination from TennCare funding for FY 2020-2021, except for the availability of one-time funding for that year only, as follows:

(A) Replacement of across-the-board reductions in covered and excluded hospital and professional reimbursement rates described in the governor's recommended budgets since FY 2011 except for any reductions that were included on a list for a given year but then funded in a subsequent year with recurring state dollars;

(B) Maintenance of virtual DSH fund payments and uncompensated care fund for charity care payments in accordance with, and as those payments are defined in, the TennCare 1115 demonstration waiver from CMS, to the maximum amount of the virtual DSH fund and uncompensated care fund for charity care allowed by CMS under the TennCare waiver.

(C) Maintenance of payments for graduate medical education of at least fifty million dollars (\$50,000,000);

(D) Maintenance of reimbursement for medicare part A crossover claims at the lesser of one hundred percent (100%) of medicare allowable or the billed amount;

(E) Avoidance of any coverage limitations relative to the number of hospital inpatient days per year or the annual cost of hospital services for a TennCare enrollee;

(F) Avoidance of any coverage limitations relative to the number of nonemergency outpatient visits per year for a TennCare enrollee;

(G) Avoidance of any coverage limitations relative to the number of physician office visits per year for a TennCare enrollee;

(H) Avoidance of coverage limitations relative to the number of laboratory and diagnostic imaging encounters per year for a TennCare enrollee;

(I) Maintenance of coverage for occupational therapy, physical therapy, and speech therapy services;

(J) In the total amount of five hundred seven-two thousand eight hundred forty dollars (\$572,840) to maintain reimbursement at the same emergency care rate as in FY 2019-2020 for nonemergent care to children twelve (12) to twenty-four (24) months of age;

(K) In the total amount of two million forty-seven thousand three hundred twenty dollars (\$2,047,320) to the bureau to offset the elimination of the provision in the TennCare managed care contractor risk agreements for hospitals as follows:

CRA 2.12.9.60-Specify in applicable provider agreements that all providers who participate in the federal 340B program give TennCare MCOs the benefit of 340B pricing;

(L) In the total amount of two hundred seventy-five thousand dollars (\$275,000) to offset a portion of the hospital cost of providing admissions, discharge, and transfer (ADT) messages to the TennCare bureau to support the TennCare Patient Centered Medical Home initiative;

(M) In the total amount of seven hundred fifty thousand dollars (\$750,000) to provide funding for stipends for physicians and other healthcare providers who commit to work in designated medically underserved areas in this state; and

(N) In the amount of three million dollars (\$3,000,000) to offset the unreimbursed cost of charity care for critical access hospitals to be funded from funds remaining in the trust fund as of June 30, 2020.

(2) Directed payments to hospitals to reduce unreimbursed costs incurred by covered hospitals in providing services to TennCare patients, as approved by CMS and as directed in subdivision (d)(3)(B).

(3)

(A) If CMS does not approve directed payments to hospitals to offset unreimbursed costs incurred in serving TennCare patients, but instead approves hospital supplemental pools in the TennCare waiver for that purpose, then payments required by this subdivision (d)(3) must be made from the allocated pools to covered hospitals to offset losses incurred in providing services to TennCare enrollees as set forth in this subdivision (d)(3) as first priority before any other supplemental payments authorized in the TennCare waiver are distributed;

(B) Directed payments to hospitals must be based on the amounts paid to covered hospitals during each quarter of FY 2020-2021. Each covered hospital is entitled to payments for FY 2020-2021 of a portion of its unreimbursed TennCare costs of providing services to TennCare enrollees. As used in this subdivision (d)(3)(B), "unreimbursed TennCare costs" means the excess of TennCare costs over TennCare net revenue. TennCare charges and net revenue are calculated using data from Schedule E, items (A)(1)(e) and (A)(1)(f) from the hospital's 2018 joint annual report (JAR) filed with the department of health. As used in this subdivision (d)(3)(B), "TennCare costs" means the quotient of a facility's cost-to-charge ratio, calculated as B(3) (total expenses) divided by A(3)(e) (total gross patient charges) from Schedule E of the 2018 JAR, times TennCare charges. The amount of the payment to covered hospitals must be no less than forty-three and eight-tenths percent (43.80%) of unreimbursed TennCare costs for all hospitals licensed by the state that reported TennCare charges and revenue and total expenses on the 2018 joint annual report (JAR), excluding state-owned hospitals;

(C) The payments required by this subdivision (d)(3) must be made in four (4) equal installments. The bureau shall provide to the Tennessee Hospital Association a schedule showing the payments to each hospital at least seven (7) days in advance of the payments; and

(D) The payments required by this subdivision (d)(3) may be made by the bureau directly or by the TennCare managed care organizations with the direction to make payments to hospitals as required by this subsection (d). The payments to a hospital pursuant to this subdivision (d)(3) are not part of the reimbursement to which a

hospital is entitled under its contract with a TennCare managed care organization;

(4) Refunds to covered hospitals based on the payment of annual coverage assessments or penalties to the bureau through error, mistake, or a determination that the annual coverage assessment was invalidly imposed; and

(5) Payments authorized under rules promulgated by the bureau pursuant to § 71-5-2004(j)(2).

(e) The bureau shall modify the contracts with TennCare managed care organizations and otherwise take action necessary to assure the use and application of the assets of the maintenance of coverage trust fund, as described in subsection (d).

(f) The bureau shall submit requests to CMS to modify the medicaid state plan, the contractor risk agreements, or the TennCare II Section 1115 demonstration project, as necessary, to implement the requirements of this part.

(g) At quarterly intervals beginning September 1, 2020, the bureau shall submit a report to the finance, ways and means committees of the senate and the house of representatives, to the health and welfare committee of the senate, and to the health committee of the house of representatives, which report must include:

(1) The status, if applicable, of the determination and approval by CMS set forth in § 71-5-2003(b) of the annual coverage assessment;

(2) The balance of funds in the maintenance of coverage trust fund; and

(3) The extent to which the maintenance of coverage trust fund has been used to carry out this part.

(h) No part of the maintenance of coverage trust fund must be diverted to the general fund or used for any purpose other than as set forth in this part.

71-5-2006. Expiration of part — Survival of certain rights and obligations.

This part expires on July 1, 2021. However, the following rights and obligations survive the expiration:

(1) The authority of the bureau to impose late payment penalties and to collect unpaid annual coverage assessments and required refunds;

(2) The rights of a covered hospital or an association of covered hospitals to file a petition for declaratory order to determine compliance with this part;

(3) The existence of the maintenance of coverage trust fund and the obligation of the bureau to use and apply the assets of the maintenance of coverage trust fund; and

(4) The obligation of the bureau to implement and maintain the requirements of § 71-5-161.

71-5-2007. Audit of expenditure of funds from maintenance of coverage trust fund.

The comptroller of the treasury may audit the expenditure of funds pursuant to this part from the maintenance of coverage trust fund. At the discretion of the comptroller of the treasury, the audit may be prepared by a certified public accountant, a public accountant, or the department of audit. Notwithstanding § 71-5-2005, the bureau of TennCare and the maintenance of coverage trust fund must bear the full costs of the audit.

SECTION 2. Tennessee Code Annotated, Section 71-5-2005(d)(1), is amended by adding the following as a new subdivision:

(O) In the total amount of fifty thousand dollars (\$50,000) to fund the cost of a pilot program with the TennCare managed care organizations (MCOs) to improve care coordination for TennCare enrollees and reduce administrative burden.

SECTION 3. The headings to sections, chapters, and parts in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 4. Section 1 of this act shall take effect July 1, 2020, the public welfare requiring it. Section 2 of this act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2022**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

MOTION

WEDNESDAY, MARCH 18, 2020 -- 56TH LEGISLATIVE DAY

Senator Watson moved that Rule 83(1) be suspended for the purpose of allowing the Committee on Finance, Ways and Means to meet at 9:00 a.m., Thursday, March 19, 2020, which motion prevailed.

REPORT OF THE COMMITTEE ON CALENDAR

The Committee on Calendar recommends that the following annual events be authorized by the General Assembly in accordance with the provisions of Article XI, Section 5 of the Constitution of Tennessee, and pursuant to the Tennessee Charitable Gaming Implementation Law.

This the 18th day of March, 2020
Senator Ed Jackson, Chairperson

**Office of the Secretary of State Division of Charitable Solicitations
and Gaming Second Omnibus List of Qualifying Annual Event Applicants
Event Dates 7/1/2020 - 6/30/2021**

Davidson County - Total approved in this county: 1

Antiques and Garden Show of Nashville, Inc.

Event Name	Antiques and Garden Show Raffle
Event Type	Raffle
Event Address	201 5th Avenue South, Nashville, TN 37203
Event Date	2/4/2021

Decatur County - Total approved in this county: 1

**Exchange Club-Carl Perkins Center for the Prevention of Child Abuse
Jackson, TN, Inc. of**

Event Name	Carl Perkins Bass Classic
Event Type	Raffle
Event Address	1925 Hwy. 641 South, Parsons, TN 38363
Event Date	10/10/2020

Gibson County - Total approved in this county: 1

Hicks-Phelan-Taylor Post No. 4798

Event Name	75th Anniversary of Post 4798 Quilt Raffle
Event Type	Raffle
Event Address	1202 Manufacturers Row, Trenton, TN 38382
Event Date	11/15/2020

Hamilton County - Total approved in this county: 2

Junior Achievement of Chattanooga, Inc.

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Event Name Raffle
Event Type Raffle
Event Address 821 Pineville Road, Chattanooga, TN 37411
Event Date 8/21/2020

Soddy Elementary School PTA

Event Address 260 School Street, Soddy Daisy, TN 37379
Event Date 10/24/2020
Event Name Soddy Elementary Fall Festival
Event Type Raffle

Jefferson County - Total approved in this county: 1

JCHS Sideline Club

Event Name JCHS Football 15K Redzone Raffle
Event Type Raffle
Event Address 115 W Dumplin Valley Road, Dandridge, TN 37725
Event Date 10/10/2020

Knox County - Total approved in this county: 3

Bobcat Band Boosters Inc.

Event Name Bobcat Band Boosters "For the Love of Music" Raffle
Event Type Raffle
Event Address 5321 Jacksboro Pike, Knoxville, TN 37918
Event Date 10/30/2020

Dream Elite Basketball

Event Name Dream Elite Raffle
Event Type Raffle
Event Address 11549 Snyder Road, Knoxville, TN 37932
Event Date 3/26/2021

Make-A-Wish Foundation of East Tennessee

Event Name Auto Raffle
Event Type Raffle
Event Address 6751 Wilbanks Road, Knoxville, TN 37912
Event Date 7/15/2020

Maury County - Total approved in this county: 1

James K. Polk Memorial Association

Event Name Polk Party
Event Type Raffle
Event Address 301-305 W. 7th Street, Columbia, TN 38401
Event Date 9/19/2020

Montgomery County - Total approved in this county: 1

Crossroads Riders Inc.

Event Name Crossroads Riders Ride Raffle
Event Type Raffle
Event Address 2501 Hwy. 41A Bypass Clarksville, TN 37043
Event Date 9/26/2020

Morgan County - Total approved in this county: 1

Joyner Volunteer Fire Department

Event Name Sportsman Blowout
Event Type Raffle
Event Address 125 Petros Joyner School Road, Oliver Springs, TN 37840
Event Date 10/25/2020

Rutherford County - Total approved in this county: 1

Stepping Stones Safe Haven, Inc.

Event Name Spring FUNdraiser
Event Type Raffle
Event Address 3250 Wilkinson Pike, Murfreesboro, TN 37129
Event Date 3/23/2021

Shelby County - Total approved in this county: 1

University of Memphis Foundation

Event Name 2020 Pillars of Excellence
Event Type Raffle
Event Address 191 Beale Street, Memphis, TN 38103
Event Date 8/22/2020

Senator Jackson moved that pursuant to Article XI, Section 5 of the Constitution of the State of Tennessee, that the Committee on Calendar's Second 2020-2021 Report on Charitable Gaming

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and Qualified Annual Events be adopted and made the action of the Senate, which motion prevailed by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

MOTION

Senator Johnson moved that Rule 37 be suspended for the purpose of allowing any bills or resolutions recommended for passage by the Committee on Finance, Ways and Means and the Committee on Education Wednesday, March 18, 2020, to be placed on Calendar for Thursday, March 19, 2020, which motion prevailed.

Senator Johnson moved that Rule 38 be suspended for the purpose of setting a Consent Calendar for Thursday, March 19, 2020.

MOTION

Senator Johnson moved that Rule 39 be suspended for the purpose of allowing amendments to any bill on calendar for Wednesday, March 19, 2020, filed by 12:00 p.m., March 19, 2020, to be considered timely.

MOTION

Senator Massey moved that Rule 37 be suspended for the immediate consideration of **Senate Joint Resolution No. 1278**, out of order, which motion prevailed.

RESOLUTION LYING OVER

Senate Joint Resolution No. 1278 -- Memorials, Interns -- Kaylee Wilson.

On motion of Senator Massey, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 1278** was adopted.

RECALL OF BILL

On motion of Senator Johnson, **Senate Bill No. 811** was recalled from the Committee on Commerce and Labor.

REFERRAL OF BILL

Senator Johnson moved that Senate Bill No. 811 be referred to the Committee on Calendar, which motion prevailed.

MOTION

On motion of Senator Gilmore, her name was added as sponsor of **Senate Bill Nos. 1576, 1608, 1847 and 2814; and Senate Joint Resolution No. 1233.**

On motion of Senator Powers, his name was added as sponsor of **Senate Bill Nos. 1666 and 2299.**

On motion of Senator Crowe, his name was added as sponsor of **Senate Bill Nos. 1973 and 2123.**

On motion of Senator Watson, his name was added as sponsor of **Senate Bill No. 2022.**

On motion of Senator Yager, his name was added as sponsor of **Senate Bill No. 2249; and House Joint Resolution No. 1003.**

On motion of Senators Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbro and Mr. Speaker McNally, their names were added as sponsors of **Senate Joint Resolution No. 1228.**

On motion of Senators Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbro and Mr. Speaker McNally, their names were added as sponsors of **Senate Joint Resolution No. 1229.**

On motion of Senator Massey, her name was added as sponsor of **Senate Joint Resolution No. 1239.**

On motion of Senator Stevens, his name was added as sponsor of **Senate Resolution No. 141.**

On motion of Senator Kyle, her name was added as sponsor of **House Joint Resolutions Nos. 984, 985, 986, 987, 988, 989, 990, 991, 992, 993 and 994.**

On motion of Senator Haile, his name was added as sponsor of **House Joint Resolutions Nos. 995 and 996.**

On motion of Senators Southerland, Swann, Crowe and Massey, their names were added as sponsors of **House Joint Resolution No. 1001.**

On motion of Senators White and Reeves, their names were added as sponsors of **House Joint Resolutions Nos. 1002 and 1004.**

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On motion of Senator Swann, his name was added as sponsor of **House Joint Resolutions Nos. 1020, 1021, 1022 and 1023.**

On motion of Senator Roberts, his name was added as sponsor of **House Joint Resolution No. 1032.**

ENGROSSED BILLS

March 18, 2020

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Joint Resolutions Nos. 1114, 1116, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227 and 1272; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON
Deputy Chief Clerk

ENGROSSED BILLS

March 18, 2020

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bills Nos. 1649, 1661, 1680, 2022, 2078, 2123, 2182 and 2492; and Senate Joint Resolutions Nos. 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236 and 1278; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

March 18, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1030, 1031, 1032, 1033 and 1034; adopted, for the Senate's action.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

March 18, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 1085, 1095, 1096, 1098, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112 and 1113; concurred in by the House.

TAMMY LETZLER
Chief Clerk

ENROLLED BILLS

March 18, 2020

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bills Nos. 1607, 1643, 1655, 1664, 1665, 1668, 1669, 1676, 1678, 1701, 1886, 1888, 1943, 2143, 2173, 2176, 2247 and 2538; and Senate Joint Resolutions Nos. 835, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083 and 1084; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

March 18, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 1695, 1973, 2072, 2902, 2903, 2905, 2906 and 2908; for the signature of the Speaker.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

March 18, 2020

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 980, 982 and 983; for the signature of the Speaker.

TAMMY LETZLER
Chief Clerk

SIGNED

March 18, 2020

The Speaker announced that he had signed the following: House Bills Nos. 1630, 1683 and 1975.

SIGNED

March 18, 2020

The Speaker announced that he had signed the following: House Bills Nos. 1695, 1973, 2072, 2902, 2903, 2905, 2906 and 2908.

SIGNED

March 18, 2020

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The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 835, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083 and 1084.

SIGNED

March 18, 2020

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 980, 982 and 983.

SIGNED

March 18, 2020

The Speaker announced that he had signed the following: Senate Bills Nos. 1607, 1643, 1655, 1664, 1665, 1668, 1669, 1676, 1678, 1701, 1886, 1888, 1943, 2139, 2173, 2176, 2247 and 2538.

MESSAGE FROM THE HOUSE

March 18, 2020

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 835, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083 and 1084; signed by the Speaker.

TAMMY LETZLER
Chief Clerk

REPORT OF DEPUTY CHIEF CLERK

March 18, 2020

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 835, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083 and 1084; for his action.

ALAN WHITTINGTON
Deputy Chief Clerk

ADJOURNMENT

Senator Johnson moved the Senate adjourn until 2:00 p.m., Thursday, March 19, 2020, which motion prevailed.